

*Filed in
USDC
7-15-05
M. J. Sun
R. J. Hill*

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
v.)
)
WILLIE DANCY,)
Defendant)
)

Crim. No. 04-010387-RGS

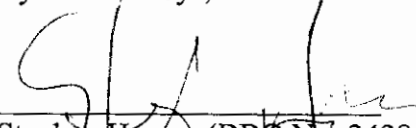
**DEFENDANT WILLIE DANCY'S
MOTION TO SUPPRESS EVIDENCE**

Now comes the Defendant, Willie Dancy, in the above-captioned proceeding, and respectfully requests that this Honorable Court suppress the .22 Magum caliber firearm seized from the floor of "Boomers" night club on the date of Dancy's arrest, and all of the fruits that flow therefrom. Defendant also moves to suppress any statements made by defendant subsequent to the stop and search of defendant. As grounds for this Motion, the Defendant states the following:

1. Mr. Dancy was seized without probable cause.
2. As such, the stop was unlawful under the Fourth Amendment. *See* U.S. Const. Amend. IV.
3. Any statements made by the defendant were the fruits of the illegal seizure must also be suppressed. *See* U.S. Const. Amend. IV; *see also Wong Sun v. U.S.*, 371 U.S. 471 (1963).

The defendant further refers to his Affidavit in Support of Motion to Suppress filed contemporaneously herewith.

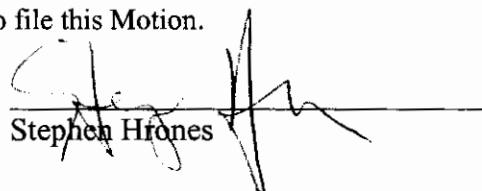
Respectfully Submitted,
The Defendant William Dancy,
By his attorneys,


Stephen Hrones (BBO No. 242860)
Jessica D. Hedges (BBO No. 645847)
HRONES, GARRITY & HEDGES LLP

Lewis Wharf -- Bay 232
Boston, MA 02110-3927
T)617/227-4019

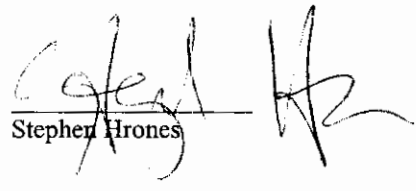
CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1

I, Stephen Hrones, hereby certify that, on July 15, 2005, I conferred with Antoinette EM Leoney, AUSA, and informed her of my intention to file this Motion.


Stephen Hrones

CERTIFICATE OF SERVICE

I, Stephen Hrones, hereby certify that, on this the 15 day of July, 2005, I caused to be served a copy of the foregoing DEFENDANT WILLIE DANCY'S MOTION TO SUPPRESS EVIDENCE, where unable to do so electronically, via United States First-Class Mail, postage prepaid, as follows: Antoinette EM Leoney, AUSA, United States Attys Offc, Moakley United States Cths, 9thFL, 1 Courthouse Way, Boston, MA 02210.


Stephen Hrones

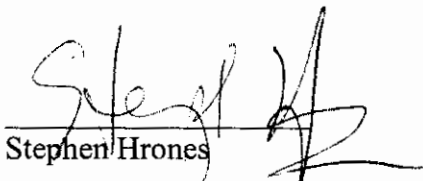
UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	Crim. No. 04-010387-RGS
v.)	
)	AFFIDAVIT OF COUNSEL FOR
WILLIE DANCY,)	WILLIE DANCY IN SUPPORT OF
Defendant)	MOTION TO SUPPRESS EVIDENCE
)	

I, Stephen Hrones, counsel the Defendant, Willie Dancy, being duly sworn hereby depose and state as follows:

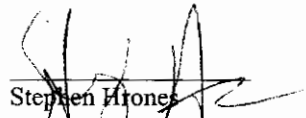
1. I am an attorney licensed in the State of Massachusetts and have been practicing law for over thirty years.
2. I have extensive experience in criminal law in general, and Fourth Amendment law in particular.
3. I have examined the police reports in the above-entitled matter.
4. In my opinion, the police did not have probable cause to justify seizing Mr. Dancy.

Signed and sworn to under the pains and penalties of perjury on this the 14th day of July, 2005, Boston, Suffolk County, Massachusetts.


Stephen Hrones

CERTIFICATE OF SERVICE

I, Stephen Hrones, hereby certify that, on this the 15 day of July, 2005, I caused to be served a copy of the foregoing AFFIDAVIT OF COUNSEL FOR WILLIE DANCY IN SUPPORT OF HIS MOTION TO SUPPRESS EVIDENCE, where unable to do so electronically, via United States First-Class Mail, postage prepaid, as follows: Antoinette EM Leoney, AUSA, United States Attys Offc, Moakley United States Cths, 9thFL, 1 Courthouse Way, Boston, MA 02210.


Stephen Hrones